

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA, Hon. Denise Page Hood

v. 22-cr-20679

D-1 MARKIETH BROWNING, Violations:

Defendant. 21 U.S.C. § 841(a)(1)  
21 U.S.C. § 856(a)(1)  
18 U.S.C. § 922(g)(1)

**SUPERSEDING INDICTMENT**

The Grand Jury charges that:

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**COUNT ONE**

**POSSESSION OF COCAINE WITH INTENT TO DISTRIBUTE  
21 U.S.C. § 841(a)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan, and elsewhere, the defendant, MARKEITH BROWNING, knowingly and intentionally possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the controlled substance involved a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

**COUNT TWO**  
**POSSESSION OF FENTANYL WITH INTENT TO DISTRIBUTE**  
**21 U.S.C. § 841(a)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan, and elsewhere, the defendant, MARKEITH BROWNING, knowingly and intentionally possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the controlled substance involved a mixture and substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, commonly known as fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(C).

**COUNT THREE**  
**POSSESSION OF METHAMPHETAMINE WITH INTENT TO DISTRIBUTE**  
**21 U.S.C. § 841(a)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan, and elsewhere, the defendant, MARKEITH BROWNING, knowingly and intentionally possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the controlled substance involved a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b)(1)(C).

**COUNT FOUR**  
**MAINTAINING A DRUG PREMISES**  
**21 U.S.C. § 856(a)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan and elsewhere, the defendant, MARKEITH BROWNING, did knowingly and unlawfully maintain a place, to wit: a residence known as 10534

Jackson St., Van Buren Twp., Michigan, for the purpose of manufacturing, storing, and distributing controlled substances, in violation of Title 21, United States Code, Section 856(a)(1) and (2).

**COUNT FIVE**

**POSSESSION OF A FIREARM AND AMMUNITION BY A CONVICTED FELON  
18 U.S.C. § 922(g)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan, the defendant, MARKEITH BROWNING, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a Smith & Wesson .38 caliber revolver loaded with six (6) rounds of .38 caliber ammunition, in and affecting interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SIX**

**POSSESSION OF AMMUNITION BY A CONVICTED FELON  
18 U.S.C. § 922(g)(1)**

D-1 MARKEITH BROWNING

On or about October 13, 2022, in the Eastern District of Michigan, the defendant, MARKEITH BROWNING, knowing that he had been

convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, that is, a box of Sperry .40 caliber ammunition, in and affecting interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

**FORFEITURE ALLEGATIONS**  
**18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461(c)**  
**CRIMINAL FORFEITURE**

The allegations contained in Counts One through Four of this Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d), Title 21 United States Code, Section 853, and Title 28 United States Code, Section 2461(c).

Upon conviction of any of the offenses set forth in Count Five and Six of this Superseding Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), and Title 28 United States Code, Section 2461(c), any firearm and ammunition involved in or used in the knowing commission of the offense(s).

Upon conviction any of the controlled substance offenses alleged in

Counts One through Four of this Superseding Indictment, defendants shall forfeit to the United States, pursuant to Title 21 United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the named violations.

If any of the property described in the paragraphs above as being forfeitable under Title 21, United States Code, Section 853, as a result of any act or omission of the defendant

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third party;
- c. has been placed beyond the jurisdiction of this Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be divided without difficulty;

the United States of America, pursuant to Title 21, United States Code, Section 853(p), intends to seek forfeiture of all other property of

defendant up to the value of the above-described forfeitable property.

**THIS IS A TRUE BILL.**

s/ Grand Jury Foreperson  
Grand Jury Foreperson

DAWN N. ISON  
United States Attorney

s/ Benjamin Coats  
Benjamin Coats  
Chief, Drug Task force Unit

s/ John O'Brien  
John O'Brien  
Assistant United States Attorney

Dated: January 11, 2023

United States District Court Eastern District of Michigan	<b>Criminal Case Cover Sheet</b>	<b>Case Number</b> 22-20679
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

<b>Companion Case Information</b>	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) <sup>1</sup> :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: JO

Case Title: USA v. Markieth Browning

County where offense occurred : Wayne

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Check One: ☒ Felony

☐ Misdemeanor

☐ Petty

       Indictment/        Information --- no prior complaint.

       Indictment/        Information --- based upon prior complaint [Case number: ]

       Indictment/ ☒ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

### Superseding Case Information

Superseding to Case No: 22-20679

Judge: Denise Page Hood

☒ Corrects errors; no additional charges or defendants.

☐ Involves, for plea purposes, different charges or adds counts.

☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

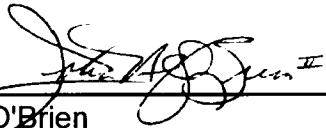
Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

January 11, 2023

Date

  
 John O'Brien  
 Assistant United States Attorney  
 211 W. Fort Street, Suite 2001  
 Detroit, MI 48226-3277  
 Phone: 313-226-9715  
 E-Mail address: John.Obrien@usdoj.gov  
 Attorney Bar #: P39912

<sup>1</sup> Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.